

have a lien against the contents of the container or trailer under section 5905 in the amount of the bond, fine, penalty, or cost (including storage), or interest and all court costs and legal fees incurred by the carrier as a result of such inaccurate transfer or failure."

(d) **LIABILITY.**—Section 5902 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following:

"(d) **LIABILITY TO OWNER OR BENEFICIAL OWNER.**—If—

"(1) a person inaccurately transfers information on a certification required by subsection (b)(1), or fails to forward a certification to the subsequent carrier;

"(2) as a result of the inaccurate transfer of such information or a failure to forward a certification, the subsequent carrier incurs a bond, fine, penalty, or cost (including storage), or interest; and

"(3) that subsequent carrier exercises its rights to a lien under section 5905,

then that person is liable to the owner or beneficial owner, or to any other person paying the amount of the lien to the subsequent carrier, for the amount of the lien and all costs related to the imposition of the lien, including court costs and legal fees incurred in connection with it."

(e) **NONAPPLICATION.**—Subsection (e) of section 5902, as redesignated, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

"(1) The notification and certification requirements of subsections (a) and (b) of this section do not apply to any intermodal container or trailer containing consolidated shipments loaded by a motor carrier if that motor carrier—

"(A) performs the highway portion of the intermodal movement; or

"(B) assumes the responsibility for any weight-related fine or penalty incurred by any other motor carrier that performs a part of the highway transportation."

#### **SEC. 205. PROHIBITIONS.**

Section 5903 (relating to prohibitions) is amended—

(1) by inserting after "person" a comma and the following: "To whom section 5902(b) applies,";

(2) by striking subsection (b) and inserting the following:

"(b) **TRANSPORTING PRIOR TO RECEIVING CERTIFICATION.**—

"(1) **PRESUMPTION.**—If no certification is received by a motor carrier before or when a loaded intermodal container or trailer is tendered to it, the motor carrier may presume that the gross cargo weight of the container or trailer is less than 29,001 pounds.

"(2) **COPY OF CERTIFICATION NOT REQUIRED TO ACCOMPANY CONTAINER OR TRAILER.**—Notwithstanding any other provision of this chapter to the contrary, a copy of the certification required by section 5902(b) is not required to accompany the intermodal container or trailer.";

(3) by striking "10,000 pounds (including packing materials and pallets)" in subsection (c)(1) and inserting "29,000 pounds"; and

(4) by adding at the end the following:

"(d) **NOTICE TO LEASED OPERATORS.**—

"(1) **IN GENERAL.**—If a motor carrier knows that the gross cargo weight of an intermodal container or trailer subject to the certification requirements of section 5902(b) would result in a violation of applicable State gross vehicle weight laws, then—

"(A) the motor carrier shall give notice to the operator of a vehicle which is leased by the vehicle operator to a motor carrier that

transports an intermodal container or trailer of the gross cargo weight of the container or trailer as certified to the motor carrier under section 5902(b);

"(B) the notice shall be provided to the operator prior to the operator being tendered the container or trailer;

"(C) the notice required by this subsection shall be in writing, but may be transmitted electronically; and

"(D) the motor carrier shall bear the burden of proof to establish that it tendered the required notice to the operator.

"(2) **REIMBURSEMENT.**—If the operator of a leased vehicle transporting a container or trailer subject to this chapter is fined because of a violation of a State's gross vehicle weight laws or regulations and the lessee motor carrier cannot establish that it tendered to the operator the notice required by paragraph (1) of this subsection, then the operator shall be entitled to reimbursement from the motor carrier in the amount of any fine and court costs resulting from the failure of the motor carrier to tender the notice to the operator."

#### **SEC. 206. LIENS.**

Section 5905 (relating to liens) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) **GENERAL.**—If a person involved in the intermodal transportation of a loaded container or trailer for which a certification is required by section 5902(b) of this title is required, because of a violation of a State's gross vehicle weight laws or regulations, to post a bond or pay a fine, penalty, cost (including storage), or interest resulting from—

"(1) erroneous information provided by the certifying party in the certification to the first carrier in violation of section 4903(a) of this title;

"(2) the failure of the party required to provide the certification to the first carrier to provide it;

"(3) the failure of a person required under section 5902(c) to forward the certification to forward it; or

"(4) an error occurring in the transfer of information on the certification to another document under section 5902(b)(3) or (c), then the person posting the bond, or paying the fine, penalty, costs (including storage), or interest has a lien against the contents equal to the amount of the bond, fine, penalty, cost (including storage), or interest incurred, until the person receives a payment of that amount from the owner or beneficial owner of the contents, or from the person responsible for making or forwarding the certification, or transferring the information from the certification to another document.";

(2) by inserting a comma and "or the owner or beneficial owner of the contents," after "first carrier" in subsection 9(b)(1); and

(3) by striking "cost, or interest." in subsection (b)(1) and inserting "cost (including storage), or interest. The lien shall remain in effect until the lien holder has received payment for all costs and expenses described in subsection (a) of this section."

#### **SEC. 207. PERISHABLE AGRICULTURAL COMMODITIES.**

Section 5906 (relating to perishable agricultural commodities) is amended by striking "Sections 5904(a)(2) and 5905 of this title do" and inserting "Section 5905 of this title does".

#### **SEC. 208. EFFECTIVE DATE.**

(a) **IN GENERAL.**—Section 5907 (relating to regulations and effective date) is amended to read as follows:

##### **"§5907. Effective date**

"This chapter shall take effect 180 days after the date of enactment of the Intermodal Safe Container Transportation Amendments Act of 1996."

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 59 is amended by striking the item relating to section 5709 and inserting the following:

"§5907. Effective date".

#### **SEC. 209. RELATIONSHIP TO OTHER LAWS.**

(a) **IN GENERAL.**—Chapter 59 is amended by adding at the end thereof the following:

##### **"§5908. Relationship to other laws**

"Nothing in this chapter affects—

"(1) chapter 51 (relating to transportation of hazardous material) or the regulations promulgated under that chapter; or

"(2) any State highway weight or size law or regulation applicable to tractor-trailer combinations."

(b) **CLERICAL AMENDMENT.**—The table of sections for such chapter is amended by adding at the end thereof the following:

"5908. Relationship to other laws"

### **NOTICE OF HEARING**

#### **SPECIAL COMMITTEE ON AGING**

Mr. COHEN. Mr. President, I wish to announce that the Special Committee on Aging will hold a hearing on Tuesday, September 24, 1996, at 9 a.m., in room 628 of the Dirksen Senate Office Building. The hearing will discuss Social Security reform.

### **AUTHORITY FOR COMMITTEES TO MEET**

#### **COMMITTEE ON ARMED SERVICES**

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2 p.m. on Wednesday, September 18, 1996, in closed/open session, to receive testimony on the report of the Downing Assessment Task Force on the bomb attack on Khobar Towers in Saudi Arabia, and other issues related to United States policy in the Middle East.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, September 18, 1996, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 1920, a bill to amend the Alaska National Interest Lands Conservation Act, and for other purposes; and S. 1998, a bill to provide for expedited negotiations between the Secretary of the Interior and the villages of Chickaloon-Moose Creek Native Association, Inc., Ninilchik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corporation, and Knikatnu, Inc., regarding the conveyances of certain lands in Alaska under the Alaska Native Claims Settlement Act, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **COMMITTEE ON THE JUDICIARY**

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to

meet during the session of the Senate on Wednesday, September 18, 1996, at 10 a.m. to hold a hearing on S. 961, the Omnibus Patent Act of 1996.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, September 18, 1996, at 2 p.m. to hold a hearing on violent and drug trafficking crimes: the Bailey decision's effect on prosecutions under 924(c).

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 18, 1996, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON HUD OVERSIGHT

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Subcommittee on HUD Oversight and Structure of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, September 18, 1996, to conduct a hearing on oversight of the Fair Housing Act and its enforcement.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ADDITIONAL STATEMENTS

#### ENTHRONEMENT OF ARCHBISHOP SPYRIDON

•Ms. SNOWE. Mr. President, as a member of the Greek Orthodox faith, I would like to join my colleagues and so many other Americans in honoring the enthronement for His Eminence Metropolitan Spyridon to become the fifth Archbishop of America since the establishment in 1922 of the Greek Orthodox Archdiocese of North and South America. The Christian Orthodox faith, under the spiritual guidance of the Ecumenical Patriarch, is one of the world's great religions. It traces its roots to the original Holy Apostles, and today includes over 250 million faithful worldwide.

Archbishop Spyridon's enthronement this Saturday, September 21, at the Archdiocesan Cathedral of the Holy Trinity in New York City, is an historic occasion. This event, coming after the long and venerated reign of Archbishop Iakovos, is a hallowed symbol of the Church's continuity in the Americas under the spiritual guidance and jurisdiction of the Ecumenical Patriarchate. At the same time, this sacred event demonstrates the growth

and maturation of the Greek Orthodox Church in our hemisphere, with the enthronement of the first Archbishop born and raised within the Archdiocese of North and South America.

Archbishop Spyridon, the son of Clara and the late Dr. Constantine Papageorge, was born in Warren, OH, on September 24, 1944. He attended school in the United States, and graduated from high school in Tarpon Springs, FL.

Archbishop Spyridon then went on to study at the renowned Theological School of Halki in Turkey, where he graduated in 1966 with highest honors. Until closed by the Turkish Government in 1971, this was the only theological school maintained by the Christian Orthodox Ecumenical Patriarchate. The Halki Theological School, if it were still in operation, would last year have celebrated its 150th anniversary. Archbishop Spyridon undertook subsequent postgraduate studies at the University of Geneva in Switzerland and at the Bochum University in Germany.

Since finishing his education, Archbishop Spyridon undertook high religious missions in a variety of locales. Early in his career, he served as secretary of the Ecumenical Patriarchate delegation to the World Council of Churches, as secretary of the Orthodox Center of the Ecumenical Patriarchate at Chambesy in Geneva, and as dean of the Greek Orthodox Community of St. Andrew in Rome. In 1985 the Ecumenical Patriarchate selected him titular bishop of Apamea and assigned him as the auxiliary bishop to the Greek Orthodox Archdiocese of Austria and Exarchate of Italy. In 1991 the Holy Synod of the Ecumenical Patriarchate elected Spyridon as the first Metropolitan for the newly created Archdiocese of Italy and Exarchate of Southern Europe.

Mr. President, these are just the highlights of service so far of this tremendously skilled, youthful and devoted man of faith, a man who is fluent in Greek, French, Italian, German, and, of course, English. Now he will bring his energy and experiences to his new calling as Archbishop of the Greek Orthodox Archdiocese of North and South America, where, in America alone, he will preside over 550 Greek Orthodox parishes, with over 1.5 million members.

I again wish to add my voice to all those honoring Archbishop Spyridon at the time of his enthronement. This is, of course, a time for celebration and prayer. But it is also a time for welcoming the Archbishop home after his decades of service to the faith throughout the world. •

#### EVOLUTION OF A PLATFORM PLANK

• Mr. MOYNIHAN. Mr. President, I would like to make a few, brief comments about the evolution of the welfare plank in the Democratic Party's national platform for the coming election.

JULY 8: FIRST DRAFT

Staff members of the Democratic National Committee wrote the initial draft of the party platform. The document was dated July 8, 1996, and contained the following plank on welfare:

Welfare Reform. There is no greater gap between mainstream American values and modern American government than our failed welfare system. When Bill Clinton became President, the welfare system undermined the very values—work, family, and, especially, personal responsibility—that it should promote. Over the past four years, President Clinton—without help from Congress—has dramatically transformed the welfare system. He has freed 40 states from federal rules and regulations so they can reform their welfare systems. The Clinton Administration has granted [70] waivers—more than twice as many waivers as granted in the Reagan-Bush years. For 75 percent of all Americans on welfare, the rules have changed for good, and welfare is becoming what it should be: a second chance, not a way of life. Welfare rolls are finally coming down—there are 1.3 million fewer people on welfare today than there were in 1992.

The President has also taken strong executive action to make sure that the welfare system strengthens families and demands responsibility. He ordered states to require minor mothers to stay in school and turn their lives around so they can get a job and get off welfare for good. He also ordered states to require mothers to name the father of their children before they can get welfare, so we can find those fathers and make them pay the child support they owe.

Now we must finish the job. We should pass national welfare reform to end welfare as we know it across America. Unfortunately, the plan proposed by Senator Dole and Speaker Gingrich was weak on work and tough on children. That's the wrong approach. We should be tough on work and demand responsibility, but we shouldn't punish children for their parents' mistakes. A real bipartisan welfare reform plan should require that anyone on welfare who can work, goes to work. And we should provide child care and health care so parents can work. We should impose strict time limits so that no one who can work can stay on welfare forever. We should require minor mothers to live with their parents or another responsible adult.

JULY 26: INITIAL DRAFT REVISED BY DRAFTING COMMITTEE

The initial draft was sent to members of the drafting committee, chaired by Georgia Gov. Zell Miller. The 15 members of the drafting committee met on July 11 in Kansas City to revise the initial draft. On July 26, the drafting committee issued its revised draft of the platform and sent it to the members of the platform committee. The revised welfare plank was slightly longer, but contained essentially the same language as the first version:

Welfare reform. Today's Democratic Party knows there is no greater gap between mainstream American values and modern American government than our failed welfare system. When Bill Clinton became President, the welfare system undermined the very values—work, family, and personal responsibility—that it should promote. The welfare system should reflect those values: we want to help people who want to help themselves and their children.

Over the past 4 years, President Clinton—acting alone—has dramatically transformed the welfare system. He has freed 41 states from federal rules and regulations so they